

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**CHAMBER SUMMONS NO.176 OF 2016
IN
SUMMARY SUIT NO.1556 OF 2003**

Indiacom Ltd.

... Applicant/Plaintiff

Versus

M/s. Eltec Corporation & Ors.

.... Defendants

Ms. Bharti Thaker, for Applicant/Plaintiff.

.....

CORAM : S.C.GUPTE, J.

DATE : 19 MARCH 2018

P.C. :

1. This Chamber Summons is taken out by the Applicant/Decree-holder in execution. By an order dated 24 June 2013 passed in an earlier Chamber Summons taken out by decree holder, an order for disclosure was passed in the same terms as prayer Clauses (a), (b) and (c) of the present Chamber Summons. The Judgment Debtors were directed to furnish particulars within four weeks. In spite of this order, there is a failure on the part of the Judgment Debtors in furnishing particulars or complying with the order in terms of prayer Clauses (a), (b) and (c).

2. The Applicant has, in the premises, taken out the present Chamber Summons seeking arrest of the Judgment Debtors and their committal to Civil Prison. The Chamber Summons has been duly served on the Respondent-Judgment Debtors. An affidavit in proof of that service has

been filed before this Court. Despite such service, there is neither appearance on the part of the Respondents nor any affidavit-in-reply to show cause to the orders sought in the Chamber Summons.

3. The Chamber Summons is accordingly allowed in terms of prayer Clause (e) and Respondent Nos.2 and 3 to the Chamber Summons, who are Judgment Debtors in the decree passed in the Suit, shall be arrested by Vakola Police Station, Santacruz (E), Mumbai and committed to Civil Prison for a period of three months. The Chamber Summons is disposed of.

(S.C.GUPTE, J.)